

THE MOUNTAINEER.

GREAT SALT LAKE CITY.
SATURDAY, DECEMBER 15, 1860.

LEGISLATIVE ASSEMBLY.

PURSUANT to their regular adjournment last winter, the Council and House of Representatives met in the Social Hall of this city on Monday, the 10th inst.

COUNCIL.

At 10 o'clock the roll of the Council was called by Mr. Caine, the Secretary. A quorum of the Council answering to their names, the Hon. Geo. A. Smith was chosen chairman pro tem. The following organization was then unanimously voted, viz:

For President—Hon. Danl. H. Wells.
For Secretary—J. T. Caine, Esq.
For Assistant Secretary—J. W. Ellersbeck, Esq.
For Sergeant-at-Arms—Israel Ivins, Esq.

For Messenger—Dr. S. L. Sprague.
For Chaplain—Prof. Joseph Young.
For Foreman—Mr. Preston Free.
Messrs. Woodruff, Ray, and Smith, then presented their credentials as the successors of Messrs. Pratt, Lyman, and Rich resigned. The credentials were examined by a special committee appointed by the President, those gentlemen were sworn by the Hon. the Secretary of the Territory; the same gentleman having previously administered the oath of office to the officers of the Council.

A communication having been received by the President of the Council and Speaker of the House, from the County Court of G. S. L. County, tendering to the Assembly the use of their Court-House; the two Houses adjourned to meet there on Tuesday, at 11 a.m. a joint committee of the two Houses having been appointed to notify His Excellency of the adjournment, and of their intention to meet in joint session to receive any communication he wished to make.

On Tuesday, at 11 a.m., the two Houses met, and at noon, by mutual consent, went into joint session. The Chairman of the Committee then presented the following Communication from the Governor, which was read by the Secretary of the Council, as an epilogue or prologue to the Message. The Message, being one of the long-published and by-gone documents, we consider unnecessary to reprint:

COMMUNICATION.

TO THE LEGISLATIVE ASSEMBLY OF UTAH,
ANNEXED TO THE GOVERNOR'S MESSAGE.

EXECUTIVE OFFICE,
G. S. L. CITY, 10th Dec., 1860.

To the Council and House of Representatives of the Legislature of Utah:

GENTLEMEN—

On the 12th ultimo, at a called session, I addressed to the Council and House of Representatives my annual message, in which I made such suggestions as the public interest seemed to demand. Copies of that communication, together with the Reports of the Treasurer and Auditor, are herewith annexed. I invite your attention to them.

The necessity of an early assignment of the Chief Justice and his associates, with the view of ensuring in good season sessions of the courts in their respective districts. There should be a careful avoidance on your part of any action which might be construed into a desire of unnecessarily postponing the holding of district courts for the transaction of Territorial business. I am convinced that should you adopt any measure calculated to produce such an impression, it would prove alike unwise and impolitic.

Your attention is called to the fact that, under the existing law, special sessions of the district courts can only be held "upon the petition of not less than one hundred legal voters and tax payers residing in any judicial district," at the same time, the effect of such petition may be obstructed by a larger number of "like qualified signers" remonstrating against the petition. As a remedy for the evils which, in certain cases, may arise from the action of persons who, under sanction of the law, might seek to obstruct the course of justice, I would recommend that the judges be authorized to hold special sessions on county courts in one or more counties in their several districts for the trial of Territorial causes. An additional reason for the adoption of the change suggested, is that parties residing at points remote from the stated places for holding courts, may receive the benefits of them, without being subjected to unnecessary inconvenience and expense.

The Chief Justice and his associates should be authorized to alternate in the several districts, and it should be made incumbent on them to hold courts when over the presiding judge of a district may, from any cause, be unable to officiate.

Some change should be made in the penal code, by which the Territory may be relieved from the expense of transporting prisoners from remote parts of the country to the Penitentiary in this city.

Many of the laws now on the statute book were passed under a condition of things, which will soon cease to exist. You cannot reasonably anticipate a continuance of the partial isolation which has characterized your early history in this region. It must be borne in mind that you are situated upon the great highway between the oceans, which is already traversed by express and telegraph, and is soon to witness the establishment of a railroad transporting through your valleys the commodities of the world. It would be well that you make timely preparation for changes that are fast approaching you, and are ultimately inevitable. New relations between yourselves and the outside world must occur. I would, therefore, urge upon you that you adopt prompt measures to prepare a code of laws, suited to the present and future requirements of this community.

The judges are constituted your legal advisers in these matters; to their I refer

On motion of Mr. Harrington and the second of Hon. G. A. Smith, no opposition being offered, Elias Smith was elected Public Printer.

The joint assembly then dissolved; and the two bodies meeting in their separate rooms, the following Standing Committees were appointed:

FOR THE COUNCIL.

On Judiciary—A. Carrington, Geo. A. Smith, James Ferguson and L. E. Harrington.

On Claims and Appropriations—Lorenz Farr, John A. Ray and John T. Hardy.

On Petitions and Memorials—Geo. A. Smith, W. D. Richards, Lorenzo Snow and John A. Ray.

On Revenue—Wilford Woodruff, L. E. Harrington, Wm. R. Smith and Edwin Whiting.

On Elections—L. E. Harrington, Edwin Whiting and F. D. Richards.

On Counties—J. D. Richards, John T. Hardy and Wm. R. Smith.

On Roads, Bridges, Ferries and Kanyons—L. Snow, Edwin Whiting, L. E. Harrington and Geo. A. Smith.

On Education—James Ferguson, John A. Ray, Edwin Whiting and A. Carrington.

On Engraving—John A. Ray, J. Ferguson and Lorenzo Snow.

On Printing—Lorenz Farr and Lorenzo Snow.

On Agriculture, Trade and Manufactures—Wm. Woodruff, L. E. Harrington, Wm. R. Smith and Geo. A. Smith.

On Militia—James Ferguson and F. D. Richards.

On Incorporations—Lorenz Farr, John T. Hardy and John A. Ray.

On Library—Wilford Woodruff and John T. Hardy.

On Public Domain and School Lands—Lorenz Farr, Wm. R. Smith, John A. Ray and A. Carrington.

On Penitentiary—Lorenz Farr, Wm. Woodruff and John A. Ray.

On Wednesday and Thursday several memorials to Congress relative to increasing the mail facilities in this Territory, were passed by the Council. A bill was introduced by Mr. Carrington, on Thursday, "assigning the Chief Justice and the two Associate Justices to the several judicial districts," which, after some little discussion, passed, and was sent to the House for concurrence.

Friday, Dec. 14, 1 p.m.

The Council met as per adjournment, and on motion of Councilor Carrington, Hon. George A. Smith was appointed a committee to revise the statutes of this Territory, to learn out such portions as are obsolete, and others that are repealed, and to properly arrange all amendatory clauses. It was sent to the House for concurrence.

Councilor G. A. Smith presented a memorial, which was passed by the Council, asking Congress for a daily mail service from Omaha, via Salt Lake City, to Sacramento.

The Council adjourned till Monday at 1 p.m.

HOUSE.

The members elect to the House of Representatives, convened in the Social Hall on Monday last, at 10 a.m. The following gentlemen answered to their names:

From Great Salt Lake County—John Taylor, Hosea Stout, Albert P. Rockwood, Hiram B. Clawson, Edwin D. Woolley, John V. Long, John M. Moody and William P. Nebeker.

Davis County—Horton D. Haight and Kovel Hyde.

Weber County—Chauncey W. West and James McGraw.

Utah and Cedar Counties—Albert K. Thurler, Lorenzo H. Hatch and Isaac Bullock.

Sau Pique County—George Peacock.

Tooele and Shoshone Counties—Evan M. Greene.

Millard County—Daniel Thompson.

Beaver County—Charles W. Wandall.

Iron and Washington Counties—Silas S. Smith and William Crosby.

John Taylor was elected Speaker pro tem, and Thomas Bullock Clerk pro tem.

The Speaker appointed Mr. Rockwood a committee of one to examine the credentials of the members, with a recess of ten minutes.

Mr. Rockwood reported that the members present were entitled to their seats. The House then elected the following officers:

John Taylor, Speaker.
Thomas Bullock, Chief Clerk.
Robert L. Campbell, Assistant Clerk.
David Gaudin, Sergeant-at-Arms.
Edward P. Duzette, Messenger.
Parley P. Pratt, Foreman.
David Postegrew, Chaplain.

By request, the Hon. Francis H. Woodton, Secretary of the Territory, administered the usual oath to the members and officers.

The County Court House having been loaned for the use of the Legislature, during its tenth annual session, Messrs. Rockwood, Greene and Woolley were appointed to examine as to its conveniences, and after a short absence, the committee reported that the Court House was suitably fitted up for the use of the Legislative Assembly.

It was then resolved that the House tender their united and most cordial thanks to the Hon. Elias Smith, Reuben Miller, S. D. Hoffaker and Robert L. Gaudin, Esq., members of the County Court, and to the officers of said court, and that to them be granted the freedom of the House during its present session.

The Speaker appointed Messrs. Clawson and Moody to act in conjunction with a like committee from the Council, to wait upon His Excellency the Governor, and notify him that the Assembly was fully organized, and that they had agreed to meet on Tuesday at 12 m., in the Court House.

Tuesday, Dec. 14, 11 a.m.

Mr. James gave notice of a bill for an act authorizing the county court of Corsica county, to levy a special tax, to be appropriated for the erection of a county jail in said county.

In compliance with a notice from the Council that they were ready to meet the House in joint session, in the Representatives' Hall, the House suspended business and went into joint session.

On the Council retiring, Mr. Rockwood

moved that the rules of the former House be adopted. Seconded and carried.

The Speaker appointed the following Standing Committee of the House:

FOR THE HOUSE.

On Judiciary—Hosea Stout, Isaac Bullock, Chauncey W. West.

On Claims and Appropriations—Hiram B. Clawson, Edwin D. Woolley, Albert P. Rockwood.

On Petitions and Memorials—Charles W. Wandall, John V. Long, Albert K. Thurler.

On Revenue—Chauncey W. West, Hosea Stout, John M. Moody, Evan M. Greene.

On Elections—Evan M. Greene, Silas S. Smith, W. F. Anderson.

On Counties—Silas S. Smith, John C. James, Horton D. Haight.

On Roads, Bridges, Ferries and Kanyons—James McGraw, Horton D. Haight, Wm. P. Nebeker.

On Education—Charles W. Wandall, Evan M. Greene, Hosea Stout, Isaac Bullock.

On Engraving—John V. Long, John C. James, Charles W. Wandall, Evan M. Greene.

On Printing—Albert K. Thurler, John M. Moody, James McGraw.

On Agriculture, Trade and Manufactures—Edwin D. Woolley, Evan M. Greene, Wm. Crosby, George Peacock.

On Militia—Albert P. Rockwood, George Peacock, Hiram B. Clawson, Jacob G. Bigler.

On Incorporations—John C. James, Jacob G. Bigler, Lorenzo H. Hatch.

On Library—George Peacock, Daniel Thompson, Lorenzo H. Hatch, Wm. P. Nebeker.

On Public Domain and School Lands—Chauncey W. West, Albert K. Thurler, William Crosby.

On Penitentiary—Albert P. Rockwood, Edwin D. Woolley, Washington F. Anderson.

The minutes were read and accepted, after which the House adjourned till tomorrow at 11 o'clock a.m.

WEDNESDAY, DEC. 13.

On motion of Mr. Stout, the committee on elections was instructed to report the number and kind of officers to be filled by the joint vote of the Assembly, and to report at an early day.

Mr. Long moved, that the courtesy of the House and the freedom of the bar be extended to Brigham Young and Heber C. Kimball, and to Bishop Edward Hunter. Seconded and carried.

On motion of Mr. Wandall, the courtesy of the House was extended to His Excellency Gov. Cumming, the Hon. Sen. Francis H. Woodton, the Hon. Surveyor-General Samuel C. Stambaugh, Hon. John M. Bernhisel and their Hon. John F. Kinney, and Henry R. Crosby, of the Supreme Court, his Honor Elias Smith, Probate Judge of G. S. L. County, and Hon. Abraham G. Smoot, Mayor of G. S. L. City.

The Committee on Roads and Bridges were instructed to inquire if a military road had been laid out in and through Provo Canyon.

Mr. James gave notice of the introduction of a bill to fund the outstanding indebtedness of Carson county, prior to the 1st day of August last.

The Committee on Library were instructed to inquire into and report upon the present condition of the Territorial Library.

THURSDAY, DEC. 13, 1860.

A message was received from the Council, and with it the following motion:

"That the House concurring, the committee on printing of the two Houses wait upon the Hon. the Secretary of the Territory, and request him, in the name of the Assembly, to furnish each member and officer of the Assembly with a copy of the current volumes of the Weekly papers published in the Territory; also, that he furnish the Territorial libraries with full files of said papers." The House concurred.

The Speaker then referred the Governor's Message to the respective Committees.

The Council forwarded an act assigning the Chief Justice and his two associates to their respective districts, viz: Hon. R. C. Crosby to the first; Hon. R. P. Plummer to the second, and Hon. J. F. Kinney to the third. It was referred to the Committee on Judiciary.

Several memorials were presented relative to mail routes and referred to the Committee on Petitions and Memorials.

Mr. West made a motion, which prevailed, that the Judges of the Supreme Court be requested to report to the Assembly all omissions, discrepancies, or other evident imperfections in the laws, which might have fallen under their observation.

A message was received stating that the Council had concurred in the memorial to Congress for the establishment of a weekly mail from Provo to Ogden, via the chain of settlements along the Provo and Weber rivers.

The House adjourned till tomorrow at 1 p.m.

FRIDAY, DEC. 14, 1 p.m.

The House concurred in a resolution which originated in the Council, "that the Mountaineer be the paper by which selected, in which to print the minutes of both Houses.

Several Committees made reports, none of which were very important, excepting that of the Committee on Judiciary, from which an inquiry report was presented by Mr. Stout, Chairman of said Committee.

The minority report was adverse to the passage of the "Act assigning the Judges of the Supreme Court to their respective districts" in its present form.

The bill was then referred to a special committee.

The Committee on Militia reported adversely to the importation of arms into the Territory, although very much needed, on the ground that the quantity to which the Territory is entitled can be manufactured here for a less sum than the cost of freight from the frontiers.

The House adjourned till tomorrow at 10 a.m.

DEATH OF THE GREAT CHIEF.—On the 4th inst. Arapahoe, the chief of all the Utes, departed this life. He had been

on a visit to the Navajos, and during his whole journey he was afflicted with consumption. Being apprehensive of his approaching dissolution, he gave instructions that no white man should be killed at his death, as had been his custom. Pursuant to this instruction his brother, San Pitch, who now takes the command of the tribe, had four horses killed and, it is said, five head of cattle to accompany Arapahoe to his anticipated hunting grounds. He died sixty miles south of Manti. In the days of the great chief Walker, Arapahoe was said to be the greatest brave of all the Utes.

LOAN.—A special correspondent, under date of Nov. 30, writes to us as follows: "Having just made a visit to Franklin, perhaps a few items in regard to affairs and prospects there may not be uninteresting. About a hundred families are located at Franklin, situated upon the Clear river, and all appear as busy as the bees which abound in Co. river, preparing for winter. There is a large farm surveyed, comprising excellent land, and thousands of acres, still unsurveyed, equally rich and fertile, with an abundance of water, an almost inexhaustible range for cattle, a great quantity of fire wood, easily accessible, and saw-timber in great abundance near by. These facilities are sufficient for many thousand inhabitants at that place. A marble quarry has recently been discovered near Franklin, easily accessible, and furnishing stone of a fine quality, as pronounced by those professing to know. It is slightly tinged with blue, and, in some instances, variegated. Superior building stone is also abundant. Health and strength prevail, and a good feeling exists among the people. The weather thus far, in Cache Valley, has been remarkably fine and pleasant; the ground is bare, and but little snow upon the hill-sides; the hurricanes which produced such a destruction in Davis and Weber counties was slightly felt here, the principal damage sustained being the prostration of a little fencing. Stacks of hay and grain remained undisturbed. Most of our surplus stock has been sent off toward the north end of G. S. Lake, under the charge of competent herdsmen, for the winter, although many consider that cattle will winter well upon the range here. Several saw-mills are in operation in the valley, and several others with great mills, a carding machine and other machinery are in process of erection. Yours, &c.,—TRANSIF.

NEW YORK, Nov. 30.—It is understood that George Briggs, member of Congress of this city, has prepared a detailed plan for a new compromise, substantially like the Albany Journal plan with the restoration of the Missouri Compromise line, west of the Rocky Mountains, as the main feature.

The Pacific Railroad committee will report two routes, one Central, the other extreme South.

Secretary Cobb was absent from the Cabinet on account of sickness.

The North Carolina Legislature has postponed the election of U. S. Senator in place of Mr. Clingman.

MOVEMENTS OF SOME OF OUR FRIENDS.—The Omaha Nebraska of the 11th inst., gives the following information:—The largest congregation we have seen for months in our city assembled to hear Rev. Orson Pratt at the United States Court Room on Sunday last. Elder Pratt's discourse was free from the peculiar tenets many had supposed to characterize the sermons of the Saints, and it was highly commended for its candor and logic; even those who differ with him in religious sentiments. Hon. W. H. Hooper, and Elders Orson Pratt and Geo. Q. Cannon, expect to take passage on board the Chicago for St. Joseph, to-day.

DOUGLAS ON SUCCESSION.—The Missouri Republican of the 11th inst. publishes a letter addressed to Stephen A. Douglas signed by ninety-six prominent citizens of New Orleans inviting him to address them on the present condition of the affairs of the country. Mr. Douglas replies in a letter, stating that greatly as he regrets the election of Mr. Lincoln, it does not of itself furnish any just cause or reasonable ground for a dissolution of the Federal Union, but should the incoming President perpetrate any act, hostile to the South, or violate or impair the rights of any citizen or State, for which the Constitution and laws shall fail to provide, adequate and sufficient remedies, the time will then have come for those who think the Constitution has been disregarded, and the Federal power perverted, to consult and deliberate on the nature and mode of redress. Mr. Douglas says that the being a Democratic majority in both Houses, no bill can be passed either House impairing or disturbing the rights or institutions of the South unless a portion of the Southern Senators and Representatives absent themselves, so as to give a Republican majority, in consequence of their absence.

THINGS IN WALL STREET.—The southern banks are sending here cotton bills of exchange, with bills of lading attached, for sale, and drawing against the proceeds of the sales of these bills. Those drafts, often, are not accepted by their correspondents here, because there is much difficulty in negotiating such bills of exchange, and the consequence is, that the southern banks having checked for them on their corresponding banks here, or (if they) banks have to honor their checks. This cuts off the city supply of money in New York for ordinary purposes. Hence, the Note Brokers are checked, and there is a rush to the banks. Even drafts on wheat to the West, when for sale in Wall street, are with difficulty cashed. Exchange on London, is now, at 106 to 107, will soon bring specie from Europe, certainly if Exchange continues to fall. The cause of Exchange being so low is want of money to buy, and distrust of Commercial Bills.—N. Y. Express.

AN AGONY MORALLY STAGED IN THE PRESENCE OF HIS AGENTS.—The New Orleans Bee of the 20th ult., records the following tragic occurrence on the previous night:—At ten o'clock last night, a shocking tragedy was enacted in reality on the stage of the German Theatre or

Concert Hall, on Poydras street, between St. Charles and Carondelet. They were playing in the drama of the Wolf, and at that moment where a young man is fleeing from his last time, and when he charges the gamblers with cheating, is stabbed and killed. John Kruger was playing the part of the gambler, Emil Stener that of the ruined young man. Kruger had not been furnished with a stage-dagger by the property man, and borrowed a real one from officer Berwin, who was the special policeman in Concert Hall. In acting each scene with real dangers on the stage, the person who strikes the blow keeps his elbow out further than the point of the weapon, and the person who pretends to receive the fatal thrust leans backward, so that the striker's elbow coming against his breast stops the motion. Stener was unexpectantly, somewhat interested, and when he should have thrown himself backward he suddenly stooped forward, and before Kruger could check the impetus of his arm the dagger had gone into the right side of Stener's neck, opening a gash to the back bone. The unfortunate actor was instantly carried off the stage and sent to the Charity Hospital, mortally wounded, while Kruger was taken to the lock-up by officers Dalton and Berwin. The curtain was down but a short time, the pool of blood was washed up, and then it was announced to the audience that the drama could not be concluded, but that a three would be substituted. The audience applauded, up went the curtain, and for a whole hour the fellow actors of Stener exerted themselves to make fun, while the auditors laughed and applauded as if the spilling of a man's life's blood was a mere trifling.

Eastern News.

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BOTH SIDES OF THE QUESTION.

BLACK REPUBLICAN REJOICINGS.

[Chas. Semmes, in Kansas Hall, Nov. 24.]

"Every four years a new President is chosen; but rarely a new government. To-morrow we shall have not only a new President, but a new government."

[From the Daily Times.]

There can be no doubt whatever in the mind of any man, that Mr. Lincoln represents slavery as a moral social and political evil, and that it should be dealt with as such by the Federal Government, in every instance where it is called upon to deal with it at all. On this point there is no room for question, and there need be no misgiving as to his official action. The whole influence of the Executive department of the Government, while in his hands, will be thrown against the extension of slavery into the new Territories of the Union, and the reopening of the African slave trade. On these points he will make no compromise nor yield one hair's breadth to coercion from any quarter or in any shape. He does not accede to the alleged decision of the Supreme Court that the Constitution places slaves upon the footing of other property, and protects them as such wherever its jurisdiction extends; nor will he be, in the least degree, governed or controlled by it in his Executive action.

[From the Speech of Senator Wilson.]

To-night thanks be to God, to-night we stand with the slave power beneath our feet. (Applause.) This haughty power

which corrupted the White party, strangled the American party, and used the Democratic party as a tool, lies crushed to the dust to-night, and our heel is upon it. (Wild and uproarious applause, and cries of "Good, good!") And, sir—and the Senator—that power never rises again; it can never move away the destinies of the Government of the United States. We have crushed it, and ground it to powder.

Now, gentlemen, I say to the men of the South who have been threatening the dissolution of the Union, who are calling cowards, who are mounting the blue cockades, Go on, if you dare! (Cheers and cries of Good.) We intend to stand by the Constitution and by the Union, at any and every hazard, come what may (loud applause), and I say to those men of the South, who are threatening to pull down the columns of the Union, that if they expect any aid in the free States among the cowardly men who have shrank before their threats, they will be utterly disappointed. However these men may sympathize with them, they cannot aid them for they are powerless in the free States. (Applause.) I was told, last winter, on the floor of the Senate, by Jefferson Davis, that Gen. Cushing had said if the contest came, we Republicans were to be "throttled in our tracks." I should like to see them try it on, gentlemen. (Great cheering.) Let them try it in on Washington, or anywhere they choose! (Renewed cheering.)

[From the Speech of Wm. C. Bryant.]

We now stand upon the battle-field of the great contest, while around us and before us lie the carcasses of the slain. At our feet, conquered, lie that great oligarchy which has so long held the South through submission and fear; and has ruled the North through the treachery of northern men; and has tyrannized equally over